

NOT FOR PUBLICATION

JAN 24 2008

UNITED STATES COURT OF APPEALS

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

RICHARD ROY SCOTT,

Plaintiff - Appellant,

v.

MARK SELING; et al.,

Defendants - Appellees.

No. 06-35514

D.C. No. CV-03-05398-RBL

MEMORANDUM*

Appeal from the United States District Court
for the Western District of Washington
Ronald B. Leighton, District Judge, Presiding

Submitted January 14, 2008**

Before: HALL, O'SCANNLAIN, and PAEZ, Circuit Judges.

Richard Roy Scott appeals pro se from the district court's judgment dismissing his 42 U.S.C. § 1983 action alleging that the Superintendent of the Washington State Department of Social and Health Services Special Commitment

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Center violated his civil rights. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion a district court's dismissal for failure to comply with court orders. *Ferdik v. Bonzelet*, 963 F.2d 1258, 1260 (9th Cir. 1992). We affirm.

The district court did not abuse its discretion by dismissing Scott's action for failure to comply with court orders where the district court described the inadequacies of Scott's complaint, warned him that failure to file an amended complaint would result in dismissal, and gave him ample time to amend. *See id.* at 1260-62; *Edwards v. Marin Park, Inc.*, 356 F.3d 1058, 1065 (9th Cir. 2004) ("The failure of the plaintiff eventually to respond to the court's ultimatum – either by amending the complaint or by indicating to the court that [he] will not do so – is properly met with the sanction of a Rule 41(b) dismissal.").

Scott's remaining contentions are unpersuasive.

AFFIRMED.